

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS  
Benedict Caiola

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER  
MISHCON DE REYA NEW YORK LLP, 156 Fifth Avenue, Suite 904, New  
York, NY 10010, (212) 612-3270

DEFENDANTS  
Lockey Maisonneuve, Melisa Tropeano, and The MTL Communications Group  
LLC

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

copyright infringement works of visual art, copyright infringement photographs, copyright infringement literary work, breach of contract, breach

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No  Yes  Judge Previously Assigned

If yes, was this case Vol.  Invol.  Dismissed. No  Yes  If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

**IS THIS AN INTERNATIONAL ARBITRATION CASE?**

No  Yes

#### NATURE OF SUIT

## TORTS

#### **ACTIONS UNDER STATUTES**

CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 367 HEALTHCARE/	[ ] 625 DRUG RELATED	[ ] 422 APPEAL	[ ] 375 FALSE CLAIMS
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY	28 USC 158	[ ] 376 QUI TAM
[ ] 130 MILLER ACT	LIABILITY	INJURY/PRODUCT LIABILITY	21 USC 881	[ ] 423 WITHDRAWAL	[ ] 400 STATE REAPPORTIONMENT
[ ] 140 NEGOTIABLE INSTRUMENT	[ ] 320 ASSAULT, LIBEL & SLANDER	[ ] 365 PERSONAL INJURY	[ ] 690 OTHER	28 USC 157	[ ] 410 ANTITRUST
[ ] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[ ] 330 FEDERAL EMPLOYERS' LIABILITY	PRODUCT LIABILITY			[ ] 430 BANKS & BANKING
[ ] 151 MEDICARE ACT	[ ] 340 MARINE	[ ] 368 ASBESTOS PERSONAL INJURY			[ ] 450 COMMERCE
[ ] 152 RECOVERY OF DEFALTED STUDENT LOANS (EXCL VETERANS)	[ ] 345 MARINE PRODUCT LIABILITY	PRODUCT LIABILITY			[ ] 460 DEPORTATION
[ ] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[ ] 350 MOTOR VEHICLE	[ ] 370 OTHER FRAUD	[ ] 820 COPYRIGHTS		[ ] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
[ ] 160 STOCKHOLDERS SUITS	[ ] 355 MOTOR VEHICLE	[ ] 371 TRUTH IN LENDING	[ ] 830 PATENT		[ ] 480 CONSUMER CREDIT
[x] 190 OTHER CONTRACT			[ ] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		[ ] 490 CABLE/SATELLITE TV
[ ] 195 CONTRACT PRODUCT LIABILITY			[ ] 840 TRADEMARK		
[ ] 196 FRANCHISE					
REAL PROPERTY	ACTIONS UNDER STATUTES	PERSONAL PROPERTY	PROPERTY RIGHTS	SOCIAL SECURITY	
[ ] 210 LAND CONDEMNATION	[ ] 441 VOTING	[ ] 380 OTHER PERSONAL PROPERTY DAMAGE	LABOR	[ ] 861 HIA (1395ft)	[ ] 850 SECURITIES/ COMMODITIES/ EXCHANGE
[ ] 220 FORECLOSURE	[ ] 442 EMPLOYMENT	[ ] 385 PROPERTY DAMAGE	[ ] 710 FAIR LABOR STANDARDS ACT	[ ] 862 BLACK LUNG (923)	
[ ] 230 RENT LEASE & EJECTION	[ ] 443 HOUSING/ ACCOMMODATIONS	PRODUCT LIABILITY	[ ] 720 LABOR/MGMT RELATIONS	[ ] 863 DIWC/DIWW (405(g))	
[ ] 240 TORTS TO LAND	[ ] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[ ] 463 ALIEN DETAINEE	[ ] 740 RAILWAY LABOR ACT	[ ] 864 SSID TITLE XVI	[ ] 890 OTHER STATUTORY ACTIONS
[ ] 245 TORT PRODUCT LIABILITY	[ ] 446 AMERICANS WITH DISABILITIES - OTHER	[ ] 510 MOTIONS TO VACATE SENTENCE	[ ] 751 FAMILY MEDICAL LEAVE ACT (FMLA)	[ ] 865 RSI (405(g))	[ ] 891 AGRICULTURAL ACTS
[ ] 290 ALL OTHER REAL PROPERTY	[ ] 448 EDUCATION	28 USC 2255			
		[ ] 530 HABEAS CORPUS	[ ] 790 OTHER LABOR LITIGATION	[ ] 870 TAXES (U.S. Plaintiff or Defendant)	[ ] 893 ENVIRONMENTAL MATTERS
		[ ] 535 DEATH PENALTY	[ ] 791 EMPL RET INC SECURITY ACT (ERISA)	[ ] 871 IRS-THIRD PARTY	[ ] 895 FREEDOM OF INFORMATION ACT
		[ ] 540 MANDAMUS & OTHER	28 USC 7609		[ ] 896 ARBITRATION
PRISONER CIVIL RIGHTS	PRISONER CIVIL RIGHTS	IMMIGRATION			[ ] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION
[ ] 210 LAND CONDEMNATION	[ ] 441 VOTING	[ ] 462 NATURALIZATION APPLICATION			[ ] 950 CONSTITUTIONALITY OF STATE STATUTES
[ ] 220 FORECLOSURE	[ ] 442 EMPLOYMENT	[ ] 550 CIVIL RIGHTS			
[ ] 230 RENT LEASE & EJECTION	[ ] 443 HOUSING/ ACCOMMODATIONS	[ ] 555 PRISON CONDITION	[ ] 465 OTHER IMMIGRATION ACTIONS		
[ ] 240 TORTS TO LAND	[ ] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[ ] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT			
[ ] 245 TORT PRODUCT LIABILITY	[ ] 446 AMERICANS WITH DISABILITIES - OTHER				
[ ] 290 ALL OTHER REAL PROPERTY	[ ] 448 EDUCATION				

*Check if demanded in complaint:*

CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.  
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?  
IF SO, STATE:

*Check YES only if demanded in complaint*  
**JURY DEMAND:**  YES  NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN *x* IN ONE BOX ONLY)

- | ORIGIN  |   |  |   |   |   |   |  |
|---|---|--|---|---|---|---|--|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from (Specify District)    | <input type="checkbox"/> 6 Multidistrict Litigation (Transferred) | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge |  |
| <input type="checkbox"/> a. all parties represented       |   |  |   | <input type="checkbox"/> 8 Multidistrict Litigation (Direct File) |   |   |  |
| <input type="checkbox"/> b. At least one party is pro se. |   |  |   |   |   |   |  |

(PLACE AN *x* IN ONE BOX ONLY)

- 1 U.S. PLAINTIFF  2 U.S. DEFENDANT  3 FEDERAL QUESTION  4 DIVERSITY  
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	<input type="checkbox"/> PTF <input type="checkbox"/> DEF [ ] 1 [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	<input type="checkbox"/> PTF DEF [ ] 3 [ ] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	<input type="checkbox"/> PTF <input type="checkbox"/> DEF [ ] 5 [ ] 5
CITIZEN OF ANOTHER STATE	<input type="checkbox"/> PTF <input type="checkbox"/> DEF [ ] 2 [ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input type="checkbox"/> PTF DEF [ ] 4 [ ] 4	FOREIGN NATION	<input type="checkbox"/> PTF <input type="checkbox"/> DEF [ ] 6 [ ] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Benedict Caiola - 868 HILLSIDE AVE WESTFIELD, NJ, 07090; Union County

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Lockey Maisonneuve - 117 Cranford Ave, Cranford, NJ 07016; Union County

Melisa Tropeano - 1409 Nottingham Drive, Naples, FL 34109; Collier County

The MTL Communications Group LLC - 1409 Nottingham Drive, Naples, FL 34109; Collier County

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

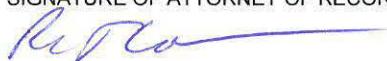
COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO:  WHITE PLAINS  MANHATTAN

DATE 12/13/2018 SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #



ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO

[x] YES (DATE ADMITTED Mo. 06 Yr. 1992)  
Attorney Bar Code # RW9041

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)